G. R. S. IX-5]

Previous references.
Legis(H) 28 of 09(1-9)

1916. 17
(Legis)

File No. 27- 16

Serial Nos. 1- 3

Later references.
Legis 8-19(1-2)

GENERAL AND REVENUE SECRETARIAT.

Diary for reference.

Serial Nos. 1- 3

Part B for March 1917

SUBJECT Rev

Representation of ~~Rev~~ D. A. Rees regarding certain matters affecting the Indian christian Community in Ceylon

To, Rev D. A. Rees

No J 3842 13. 3. 17

Informs him that the framing of a bill on the lines of the Indian Divorce Act will be taken into Consideration and that no nomination to the Legislative Council are not generally made on the basis of Communal representation etc

W D 88—GPB—50,000—24-7-16

K Nagamuthu 16/3/17

R. S. 11] 1916-17

GENERAL AND REVENUE SECRETARIAT.

(Legs)

NOTES.

File No. 27-16

FILE HEADING.

Representations of Rev: D. A. Rees regarding certain matters affecting the Indian Christian community in Mysore viz the introduction of a Christian Divorce Act, the removal of religious disabilities of converts in Mysore and the appointment of at least one Christian to the Legislative Council.

From

No.		Dated		Received
Diary No.		Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 27 of 1916

Serial No.	From.
1	Rev D. A. Rees 8. 9. 1916 Representing Certain matters affecting the Indian Christian Community in Mysore.
2	20, Rev D. A Rees 12. 9. 1916. States that his representation will receive due consideration.

NOTE—Contn. sheet.

GPB—70,000—17.12.15

No. 20 - Fus. 3.

STRICTLY CONFIDENTIAL.

PRIVATE SECRETARY TO THE DEWAN · MYSORE ·

LAKE VIEW,
YELWAL ROAD,
MYSORE.

30th September 1916.

Dear Mr. Narasinga Rao,

I am desired to enclose herewith the papers relating to a Memorandum by the Rev. D.A. Rees regarding certain matters affecting the Indian Christian Community in Mysore. The Dewan will be obliged if brief self-contained notes are prepared and sent up early for his consideration on each of the subjects except No. II, in the Memorandum.

Yours sincerely,

[signature]

DRej

For a note by A.S. III personally in 3 days.
Should not be shown to the Major Branch.
Dewan
3/9/16

G.R.S. HI—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Indian Christian Divorce.

It is no doubt true that under the law now in force in Mysore, there is no provision for annulling a marriage for adultery or other similar causes among Native Christians. The reasons are obvious. No representation appears to have been received by Government in this matter. The majority of converts are Hindus and are governed by the Hindu Law of Succession, inheritance and partition even after conversion. Hindu Law does not recognise divorce. Even among the Christians, the view is strongly held that Christ taught the absolute indissolubility of marriage. For instance, the Bishop of Oxford and the Bishop of Ely and a number of other Bishops deposed before the Royal Commission only very recently

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

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inal according to St Mark, St. Lukis' version of "Q" and St. Paul Christ taught the absolute indis solubility of marriage. Further, even now no divorce is permitt in Christian countries like Ita and Spain. Prior to 1910 there no law of divorce in Portugal, an none in France before 1884. Bu the question of introducing a law into force on the lines of the Indian Divorce Act which ha been in force for nearly half a centu in British India, with necessa modifications, may be conside by the Government.

Yes. MP

Three points have be put forward in the memoran as being defect in the present British Indian law. The first is really no defect. There was a difference of view between the Madras High Court and the Cala High Court on the operation of S 7 of the Act to the marriage of Christ

notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-15.

3

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

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converts solemnized by non-Christian rite before conversion. To remove this doubt, with memorial of the South India Missionary Association, the Govt of India recently passed Act VII of 1903 making the Act applicable to such marriage, provided that the cause of divorce had arisen subsequent to the Conversion.

Apparently the other two points of the representation have not been seen with favour by the Govt of India. The petition for divorce requires to be stamped with a court-fee of Rs 20/-, and the other costs incidental to a Civil Court proceeding should also be borne by the parties as in any other case. In this divorce should not be made too cheap. Divorce is a very serious matter and affects the family life, the status of the parties, the interests of their children, and the interests of the State in the moral and social well-being of its citizens. A cheap procedure may lead to hasty and ill-considered applications

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Men under the Indian Divorce A
District Courts have jurisdiction
over Divorce proceedings, but the
decrees are subject to confirmation
nullity decrees may be confirmed
immediately after ~~their~~ decrees
nisi are passed, and there appear
to be no objection to the re-
marriage of the parties after decree
is confirmed The criticisms
of the Act on this point do
not appear therefore very clear

It is not necessary to
submit to the Bill for the opinion
of the Municipalities. When a Bill
is published in the Gazette,
any one offering criticisms may
send to Secretary to the Legislative
Council which will be considered
when before parliament the Bill

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16

5

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

III. Representation of Christians in the Legislative Council.

The Rules in force do not prohibit a Christian being in the Electoral bodies, and a Christian may be elected to the R. A or the Legislative Council. There is no communal representation in the Legislative Council ~~but~~ necessity arises, and if a suitable Christian Candidate is available, Government may ~~nominate~~ appoint him as a member of the Legislative Council.

Es secn to answer
5/10

See

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16

C. S. 204

19.20

6

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Vide Reference: Dewan's note inside

I Indian Christian Divorce.

There is now no law in Mysore similar to the Indian Divorce Act. The question of introducing that Act into Mysore may be considered.

This may be done if desirable

III There is nothing in the existing Regulation and Rules preventing a Christian gentleman elected to the Rep. or the Legislative Council. A community as such is not given a representative when necessity arises, and if a suitable Christian member is available, Government may nominate him as a member of the Legislative Council.

There is no vacancy now and this point may be answered. No. Mr. Clapin's term has been recommended for re-appointment

Just so.

25/10

Dewan

19/10

First Member Dewan

Rec'd 20/10/16

Please see marginal remarks

25/10

This is an important matter and may

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16

G.R.S. 13]

7

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

perhaps be informally discussed at a meeting.

8/11/16

C S

9/11

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—5-8-15

(For disposal at an Informal Meeting) No. C. 796

11. 4. 1916.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Representation of the Rev. D.A.Rees regarding certain matters affecting the Indian Christian Community in Mysore.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narayana Rao

9th November 1916 *Secretary to Government.*

Extraordinary Member of Council. Not sent to 4th December as he is not well

First Member of Council. Opinion recorded.

Second Member of Council. 12.11 9/11

WD 2012—GPB—1 000—9-2-16

(34)

8

(Informal)

Subject.-

f Mes 923-16

Representation of the Rev. D.A.Rees regarding certain matters affecting the Indian Christian community in Mysore.

OPINION OF THE COUNCIL.

The ~~introduction~~ passing of a bill on the lines of the Indian Divorce Act may be considered.

It is not expedient to reopen the decision of Govt. in regard to the question of removal of the religious disabilities of Christian converts.

.. is open to Christian gentlemen to stand for election to the Legislative Council.

Nominations to the Legislative Council are not ~~invariably~~ generally made on the basis of communal representation.

23/11

23.11.

D.F.N to the First Member

D.S[illegible] Rees
24/11

Srinivasa Iyengar

1059
12.12

First Member

Fair final note typed
Copies for 1st Member is put up.

14/12/16

DSN
26/12

Final Note by the First Member of Council.

Subject:—

Representation of the Rev. D.A.Rees regarding certain matters affecting the Indian Christian Community in Mysore.

The Rev.D.A.Rees at an interview with the Dewan on the 8th September 1916 prayed, on behalf of the Indian Christian community in Mysore for relief as follows:-

Legis 27.16.1

(a) That a Christian Divorce Act as simple as possible be drawn up and introduced into Mysore after taking the opinion of the Christian Missions concerned.

(b) That action should again be taken to introduce into the Legislative Council the Bill for the removal of religious disabilities of Christian converts in Mysore.

(c) That at least one Christian should be appointed a member of the Legislative Council.

2. The subject was discussed in the Council and the following opinion recorded.

Page 8 of Office Notes

(a) The framing of a Bill on the lines of the Indian Divorce Act may be considered.

(b) It is not expedient to reopen the decision of Government in regard to the question of removal of the religious disabilities of christian converts.

(c) It is open to Christian gentlemen to stand for election to the Legislative Council and that nominations to the Legislative Council are not generally made on the basis of communal representation.

3. If approved by His Highness the Maharaja a reply on the above lines will be sent to the Rev.D.A.Rees.

16 Dec 1916

Submitted to His Highness.

W I submit herewith a Final Note by the First Member of Council dated 14th December 1916, on certain representations made by the Revd.D.A.Rees on matters affecting the Indian Christian community. The note explains fully the representations of Revd.Mr.Rees and the views of the Council with reference to each one of them.

2. If the views of the Council are gracicusly approved, Mr. Rees will be informed accordingly.

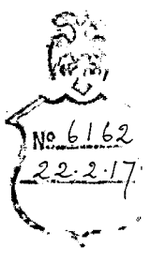
3. It may be added that the question of Civil disabilities of Christian converts in Mysore has already received full consideration, as will be seen G from the accompanying printed collection of File No. 28 of 1909-10. It does not seem expedient to reopen the decision then arrived at.

M. Visvesvaraya

22nd Jul 1917.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.



Representations made by the Rev.D.A. Rees on matters affecting the Indian - Christian community.

856.

Order.

~~KRW~~
3/3/17

171.
21.3.17.

this permit on the conditions mentioned in the said Rules to let or ply for Hire the motor vehicle numbered below from the date hereof till the 31st March 191 , unless this permit is sooner cancelled or suspended.

Motor Vehicle No.

Police Commissioner's Office,

Bombay, 191 .

Commissioner of Police.

35. No celluloid or xylonite fittings shall be placed inside or outside the motor vehicle, but this rule does not apply to the inside of the accumulators.

36. The cushions of seats, where such are provided, must be covered with suitable material, and must be stuffed with suitable material.

37. The doors, windows, seats, roof, springs, cushions, wheels, linings, panels, and all furniture and appointments of the motor vehicle must be in proper order and repair, the paint and varnish in good condition, and the inside perfectly clean.

51. The holder of an owner's permit granted for a motor vehicle to be let or plied for hire shall not knowingly make use of the motor vehicle, or cause it to be used, in connection with or for the furtherance of prosititution, or act as a habitual procurer for prostitutes, or live on the earnings of prostitutes.

53. The Commissioner of Police may in his discretion suspend or cancel any taxi-driver's permit or owner's permit where the holder thereof has committed any breach of these rules.

S 461—2,000 z—9-17—(J12*) Spl—Comr. of Police

Owner's permit for Motor Vehicles let or plying for Hire.

FEE—Five Rupees.

Number of permit_____

By virtue of powers vested in me by rule 3 of the Rules published in Government Notification in the Judicial Department, No. 705, dated 5th February 1917, I grant to you, Mr._____

residing at

Extracts rom the Bombay Taxi Rules, 1917.

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1. In these rules "motor vehicle" shall mean a motor vehicle let or plying for hire.

2. Such of the Bombay Motor Vehicles Rules, 1915, as are not inconsistent with the provisions of these rules. shall apply to motor vehicles let or plying for hire.

3. No motor vehicle shall be let or plied for hire in public places within the said limits without an owner's permit granted by the Commissioner of Police, Bombay, and for such permit a fee of Rs. 5 shall be charged. Such permit shall be in the Form A set forth in the first schedule appended to this notification, with such variations as the circumstances require.

4. Subject to rule 5, such permit shall remain in force from the date on which it is granted until the 31st March following and shall not be transferred to any person without sanction duly endorsed thereon by the Commissioner of Police.

5. A motor vehicle shall be liable to examination at such times as the Commissioner of Police may prescribe, and the owner's permit may be suspended or cancelled by him if the vehicle does not comply with the requirements of these rules or with those of the Bombay Motor Vehicles Rules, 1915.

6. The owner of a motor vehicle shall maintain regularly a register in such form as the Commissioner of Police may direct showing the name of the driver and the hours and dates on which the driver was in charge of the motor vehicle.

8. The rates for the fare or hire of a motor vehicle, let or plied for hire shall be in accordance with the rates prescribed in the second schedule appended to this notification.

10. Every motor vehicle intended to be let or plied for hire within the said limits must be taken to the Head Police Office in Bombay for inspection. The owner or person in charge of such motor vehicle shall at the same time produce the certificate of registration of the motor vehicle under the Bombay Motor Vehicles Rules, 1915, and also a certificate from the maker or maker's agent that such motor vehicle is in every way fit for use as a public conveyacne in Bombay and that its machinery is safe and is in good working order and condition.

11. (1) Every motor vehicle to be let or plied for hire shall be fitted with an approved style or pattern of taximeter to indicate to the hirer the fare chargeable.

(2) No taximeter shall be affixed to any such motor vehicle unless the seal or mark, if any, approved by the Commissioner of Police be fixed thereto.

(3) No person shall break or in any way tamper with the seal or mark placed on the taximeter, or, with intent to deceive, tamper with the taximeter.

12. Every taximeter to be used within the said limits shall be tested by the Victoria Jubilee Technical Institute.

13. Every taximeter which passes the test shall be sealed in such manner that it cannot be opened without removing the seals.

14. After the taximeter is affixed to a motor vehicle and before the vehicle is let or plied for hire the taximeter shall be submitted to the Motor Vehicles Department of the Head Police Office in Bombay for the purpose of being examined as to correctness of fittings and to be given a practical road test of about 5 miles and a time test of about 15 minutes. If found to be correct, the whole of the fittings shall then be sealed to the motor vehicle in such a manner that they cannot be removed or tampered with without removing the seals.

15. Every taximeter shall at least once a year be sent to the Victoria Jubilee Technical Institute to be tested, and as often as the seals are removed for repairs or adjustments or for any other purpose.

16. A fresh road test shall be made by the Motor Vehicles Department each time the meter or transmission gearing is removed, or repaired.

17. The brakes shall, as far as possible, be so affixed as to be capable of easy adjustment, and at least one brake must be so made as to be applied by the foot of the driver. No two brakes which operate upon the same part will be considered as independent, and at least one should act directly upon the

road wheels without any connection with the propelling gears. The brakes will at any time be subject to inspection.

18. All brake and steering connections secured with bolts must have such bolts secured with nuts and locked or pinned. These parts will at any time be subject to inspection.

19. The machinery should be so constructed that no undue noise or vibration is caused.

20. All parts connected by bolts or studs and nuts subject to severe vibration must be fastened by lock nuts or by nuts and approved spring or lock nut washers to prevent their working loose and making a rattling noise, and any motor vehicle with lamp brackets, mudguard brackets and other carriage fittings so loose as likely to cause unnecessary noise will be regarded as unfit for use as a public conveyance.

21. Carburettors must not be placed in close proximity to magnetos or to connections of wires carrying electric current, unless they are suitably encased or screened.

22. Effective means must be adopted for preventing the heat of the motor or of the exhaust pipe connections from injuriously affecting other parts of the motor vehicle or the comfort of the passengers. All wires carrying electric current must be properly insulated and protected from injury, and so placed that they cannot be the cause of danger.

23. Tanks for petrol or other liquid fuel must be made of suitable material properly constructed and of sufficient

strength. They should be so placed that any overflow shall not accumulate on wood work, or where it can be readily ignited. The filling nozzle or inlet for the petrol or other liquid fuel should, where possible, be brought to the outside of the body.

24. When a guard or tray is fixed underneath, it must be so constructed that any overflow of petrol from the carburettor shall not be retained in the tray.

25. The machinery must be so constructed or placed that oil from the bearings shall not be allowed to drop on to the roadway. When trays are fixed to prevent this, they must have suitable webs for retaining the oil when ascending or descending hills or be otherwise suitably constructed with that object; the oil must be cleaned out frequently and not allowed to accumulate from day to day.

26. The lubrication of the engine and the carburation of the working mixture must be so controlled that smoke is not ejected with the exhaust, or from any other part.

27. The outlet from the silencer should not be so placed as to eject the exhaust directly on to the roadway, or so placed, or so directed, as to alarm horses immediately behind the motor vehicle.

28. Each car must be capable of being readily steered and able to turn on each lock and proceed in a contrary direction within a roadway not more than 30 feet wide from kerb to kerb, but the Commissioner of Police may in his discretion permit

a car to be let or plied for hire if the car is capable of turning within a reasonable space though more than 30 feet.

29. Every motor vehicle must be provided with an approved means of communication between the passenger and the driver. This should be so placed as to be readily accessible to the passenger and to obviate the danger of a driver having to turn his head whilst directions are being given.

Short tubes are not suitable.

30. Every motor vehicle must have a light so fixed as to illuminate the taximeter at night.

31. Provision must be made for the conveyance of a reasonable quantity of luggage and efficient means provided by chains, straps or other means of securing it. When it is intended to carry luggage on the roof there must also be an approved fixed roof guard rail.

32. Where acetylene or other gas is used to light the carriage, the cylinders or vessels which contain the gas, or in which it is generated must be fixed outside in such a position as to be removed as far as possible from the danger of accidental ignition.

33 The floor must be covered with mats of rubber, coir, or of some other suitable material.

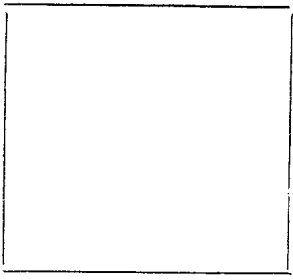
34. No printed, written or other matter other than the sanctioned rates for hire or these rules shall appear on the inside or outside of the motor vehicle or be carried by way of advertisement.

S 462—2,000 z—8-17—J6.* Spl.—Cmr.

TAXI-DRIVER'S PERMIT.

FEE—Rupees four.
RENEWAL FEE—Rupees two.

Photo of the



Permit and Badge No._____

Driver.

By virtue of the powers vested in me by Rule 7 of the Rules published in Government Notification in the Judicial Department, No. .705, dated the 5th February 1917, I grant you, Mr._____

_____

residing at_____

_____

this permit on the conditions mentioned in the said Rules to act as driver of the motor vehicle No. (s.) (*see* on the reverse) to be let or plied for hire, and none other, within the limits of the Town and Island of Bombay and of the taluka of Salsette from the date hereof till the 31st December 191 , unless this permit is sooner cancelled or suspended.

Police Commissioner's Office :

Bombay, 191

Commissioner of Police.

The following rates are fixed for the fare or hire of motor vehicles:—

1.—SCALE A.

Rates for the fare or hire of motor vehicles (Class I) fitted with a taximeter and licensed to ply for hire.

I.—Between 6-30 a.m. and 10-30 p.m.—

(*a*) For any distance within a radius of 5 miles from the Victoria Railway Station which radius shall be deemed to include all places south of a line drawn through Worlee Sluice Bridge on the west and continued through New Parbhadevi Road by Elphinstone Road Station and Parel Station (Great Indian Peninsula Railway) through Bhoiwada Road and Golanki Hill Road to Sewri Cemetery on the east:

Annas 8 for the first 1,760 yards or 1 mile;

Annas 2 for each subsequent 440 yards or $\frac{1}{4}$ mile.

(*b*) For any distance within the Island of Bombay if hired or taken beyond the said 5 miles radius:

Annas 8 for the first 1,408 yards or $\frac{4}{5}$ mile;

Annas 2 for each subsequent 352 yards or $\frac{1}{5}$ mile.

(*c*) For return journey if discharged outside the said 5 mile radius:

Annas 4 per 1,760 yards or 1 mile or less up to the nearest limit of the said 5 miles radius.

II.—Between 10-30 p.m. and 6-30 a.m.

(*a*) For any distance within the Island of Bombay:

Annas 8 for the first 1,173 yards or $\frac{2}{3}$ mile;

Annas 2 for each subsequent 294 yards or $\frac{1}{6}$ mile.

(*b*) For return journey if discharged outside the said 5 miles radius;

Annas 6 per 1,760 yards or 1 mile or less up to the nearest limit of the said 5 miles radius.

III.—Fare for detention of motor-vehicles—

Anna 1 for each 2 minutes.

2.—SCALE B.

Rates for the fare or hire of motor vehicles (Class II) fitted with a taximeter and licensed to ply for hire.

I.—Between 6-30 a.m. and 10-30 p.m.

(*a*) For any distance within a radius of 5 miles from the Victoria Railway Station which radius shall be deemed to include all places south of a line drawn through Worlee Sluice Bridge on the west and continued through New Parbhadevi Road by Elphinstone Road Station and Parel Station (Great Indian Peninsula Railway) through Bhoiwada and Golanki Hill Road to Sewri Cemetery on the east :

Annas 4 for the first 1,173 yards or $\frac{2}{3}$ mile ;

Annas 2 for each subsequent 587 yards or $\frac{1}{3}$ mile.

(*b*) For any distance within the Island of Bombay if hired or taken beyond the said 5 miles radius :

Annas 4 for the first 880 yards or $\frac{1}{2}$ mile ;

Annas 2 for each subsequent 440 yards or $\frac{1}{4}$ mile.

(*c*) For return journey if discharged outside the said 5 miles radius :

Annas 4 per 1,760 yards or 1 mile or less up to the nearest limit of the said 5 miles radius.

II.—Between 10-30 p.m. and 6-30 a.m.

(*a*) For any distance within the Island of Bombay :

Annas 4 for the first 704 yards or $\frac{2}{5}$ mile :

Annas 2 for each subsequent 352 yards or $\frac{1}{5}$ mile.

(*b*) For return journy if discharged outside the said 5 miles radius :

Annas 6 for 1,760 yards or 1 mile or less up to the nearest limit of the said 5 miles radius.

III.—Fare for detention of motor vehicle :

Annas 2 for each 6 minutes.

4. The above rates shall apply whether any such motor vehicle is used by four or any less number of passengers.

5. In addition to the above rates the driver of any such motor vehicle shall be entitled to be paid annas 2 for each package or article of baggage carried outside the vehicle.

Extracts from the Bombay Taxi Rules, 1917.

1. In these rules "motor vehicle" shall mean a motor vehicle let or plying for hire.

2. Such of the Bombay Motor Vehicles Rules 1915, as are not inconsistent with the provisions of these rules, shall apply to motor vehicles let or plying for hire.

7. (1) A motor vehicle let or plying for hire shall not, under any circumstances, be driven by any person other than a driver, who shall hold and produce, whenever required by a police officer, a taxi-driver's permit signed by the Commissioner of Police. Such permit will not be granted unless the driver satisfies the Commissioner that he is a competent and careful driver, that he is acquainted with the principal places and streets within the said limits, that he has a thorough knowledge of the rates for hire sanctioned, that he can understand and speak sufficiently the English language, and that he is in all respects a fit person to be the driver of a motor vehicle to be let or plied for hire.

(2) A taxi-driver's permit will be granted only to a person who already holds an ordinary licence to drive which is for the time being in force.

(3) A taxi-driver's permit shall remain in force from the date on which it is granted until the 31st December following, but shall cease to be in force if the holder's licence to drive is suspended or cancelled, or expires and is not renewed.

(4) A fee of Rs. 4 shall be charged for the permit and a fee of Rs. 2 for every renewal thereof. Such permit shall be in the Form E set forth in the first schedule appended to this notification, with such variations as the circumstances require.

8. The rates for the fare or hire of a motor vehicle let or plied for hire shall be in accordance with the rates prescribed in the second schedule appended to this notification.

9. The driver of a motor vehicle let or plied for hire shall be entitled to charge for detention after having been hired and for any package carried in such vehicle in accordance with the said rates.

11. (3) No person shall break or in any way tamper with the seal or mark placed on the taximeter, or, with intent to deceive, tamper with the taximeter.

38. The driver when on duty with his motor vehicle shall wear in a conspicuous place on his left breast a metal badge which shall be numbered and supplied to him by the Commissioner of Police.

39. The driver shall not transfer or lend his permit or badge to any person, and on his permit being suspended or cancelled or ceasing to be in force, the permit and badge shall be surrendered to the Commissioner of Police.

40. As often as the driver changes his residence he shall give notice thereof at the Head Police Office, in writing, within one week after such change.

41. The drivers of the first two motor vehicles on the stand must stay beside their vehicles and must be ready to be hired at once by any person :

Provided that a hirer wishing to hire any particular car on the stand may do so.

42. Every motor vehicle on the stand must move up as vacancies occur.

43. No motor vehicle engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

44. No disabled motor vehicle shall remain on the stand unless disablement is strictly temporary and can be and is remedied at once. If the disablement is not of such a nature, the vehicle shall be at once removed for repair.

45. No vehicle shall be suffered to stand across any street or thoroughfare or opposite the entrance of any street or carriage-way.

46. No driver shall, without reasonable excuse, refuse to accept a fare when the flag is in vertical position.

47. The driver of every motor vehicle shall, as soon as he is hired and no sooner, set the taximeter in motion, and upon the termination of the hiring shall immediately stop the same. If he neglects or fails to do so he shall be deemed to have committed a breach of this rule. But if a motor vehicle is called from a garage or stand to take up a passenger at any place less than 500 yards from the garage or stand, the taximeter shall not be set in motion until the motor vehicle shall arrive at such place and be ready to take up the passenger.

48. The driver shall, in the absence of reasonable cause to the contrary, proceed to the destination named by the hirer by the shortest and quickest route.

49. In the event of a motor vehicle whilst hired being unable to proceed from any mechanical or tire failure, either temporary or otherwise, the driver shall at once lower the flag to "Break Down" and shall not restart the meter until such time as the defect is remedied.

50. No driver of a motor vehicle shall—

(*a*) be drunk during his employment ;

(*b*) make use of insulting or abusive language or gesture ;

(*c*) stand (elsewhere than at some stand or other place appointed for the purpose) or loiter for the purpose of being hired, in or upon any public street or road or place ;

(*d*) refuse to give way (when he reasonably and conveniently may and should do so) to any other vehicle ;

(*e*) wilfully obstruct or hinder the driver of any other motor vehicle in taking up or setting down any person into or from such other vehicle ;

(*f*) wrongfully prevent, or attempt to prevent, the driver of any other motor vehicle from being hired ;

(*g*) exact or demand more than the proper fare to which he is legally entitled ;

(*h*) terminate the hiring before he has been discharged by the hirer ;

(*i*) ply for hire any motor vehicle which is at the time unfit for public use ;

(*j*) shout in order to attract the attention of the public or of a possible hirer or, for any other reason, act in such a way as to cause inconvenience or annoyance to the public ; or

(*k*) except at the request of the hirer, have the face of the taximeter covered or obscured at any time or under any circumstances ;

(*l*) make use of the motor vehicle in connection with or for the furtherance of prostitution, or act as a habitual procurer for prostitutes or live on the earnings of prostitutes ;

(*m*) allow a cleaner or any other attendant to sit in the motor vehicle when hired by a passenger.

51. The holder of an owner's permit granted for a motor vehicle to be let or plied for hire shall not knowingly make use of the motor vehicle, or cause it to be used, in connection with or for the furtherance of prostitution, or act as a habitual procurer for prostitutes, or live on the earnings of prostitutes.

52. The driver shall be properly dressed in clean uniform of the description prescribed by the Commissioner of Police.

53. The Commissioner of Police may in his discretion suspend or cancel any taxi-driver's permit or owner's permit where the holder thereof has committed any breach of these rules.

DRESS.

In suppression of all former orders on the subject of the style of dress to be worn by Owners and European and Indian drivers of Taxi Cabs, the following orders are issued under Condition 52 of the conditions made in accordance with Government Notification, Judicial Department, No. 705, dated 5th February 1917.

Owners and European Drivers.—

(1) For day use.—White Elwood Helmet with white pagri.

For evening and night use.—Regulation blue cloth peaked cap with white pique cover.

(2) Coat.—Plain white drill, single breasted coat to button down the front with five **white pearl or bone buttons**, Roll collar of the same material, four outside pockets with straight flaps fastened with small **white** buttons. Slit in centre from bottom of coat to waist band.

(3) Trousers.—Plain white drill.

Note.—Trousers or Jodpore breeches or breeches and leather gaiters or breeches and putties may be worn.

(4) Coat and Trousers of similar pattern but made of blue cloth (serge) can be used when the weather is sufficiently cool.

(5) A dark Chesterfield overcoat may be worn when the weather necessitates its use.

Indian Drivers.—

Cap.—A peaked cap covered or made of Khaki drill.

Coat.—Khaki drill with stand up collar of the same material, cut square and with two hooks and eyes. Five **white bone** buttons down the front. Four outside pockets with straight flaps fastened with small **white bone** buttons.

Trousers.—Khaki drill, fitting tight below the knee.

Cold weather and Monsoons (Indian Drivers).—

Khaki cloth made as above (optional).

Rain Coats.—

Owners and European and Indian Drivers.

Black Waterproof.

Note.—Sample white drill coat may be seen at the Head Police Office Motor Vehicles Department.

LIST OF TAXI CAB STANDS.

1.	Opposite Artillery Sergeants Mess	... 4 Cars.
2.	Colaba Station from 1st hydrant to 3rd hydrant	... 6 ,,
3.	Ormiston Road	.. 6 ,,
4.	Opposite Green's Hotel	... 10 ,,
5.	Apollo Pier Road	... 12 ,,
6.	Cooperage Road Corner (Lamp No. 3383)	... 4 ,,
7.	Opposite Esplanade Hotel, Fuller Road	... 6 ,,
8.	University Road—continuation of Stand No. 8	... 15 ,,
9.	Bruce Lane, opposite Crowder and Co.	... 3 ,,
10.	Junction of Willoughby Road and Marine Lines	... 4 ,,
11.	Church Gate Station, Queen's Road	... 4 ,,
12.	Race Course, opposite Main Entrance (on racing days only)	... 30 ,,
13.	Ballard Pier (Mail days only)	... 15 ,,
14.	Bombay Gymkhana	... 3 ,,
15.	Victoria Terminus, opposite Municipal Hall	... 16 ,,
16.	Head Police Office	... 4 ,,
17.	Grant Road Station, East side, corner of Foras Road	... 4 ,,
18.	Byculla Club, opposite Government Medical Store.	4 ,,
19.	Siri Road, outside Ladies Gymkhana (next to Police Chowky)	... 8 ,,
20.	Nepean Sea Road Junction with Warden Road	... 8 ,,
21.	Corner of Grant Road and Falkland Road	... 12 ,,
22.	Mathew Road (Royal Opera House)	... 10 ,,

Judicial 923-16

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. Legis File No. 27 of 1916.

Serial No.	
	Subd. with a draft reply CB 7/3/17 MLL Sec'y In favour of approval & Q/S Sec'y Draft as revised Draft 12/3 Sec'y
3	To Rev. D. A. Rees no J 3342 13th. Mar: 1917 Informs him that the framing of a Bill on the lines of the Indian Divorce Act will be taken into consideration and that no nominations to the Legislative Council are now generally made on the basis of communal representation &c.

NOTE—Contn. sheet

Legis 27-16-1

Private.

Memorandum on subjects dealt with in a conversation between Sir.M. Visvesaraya,Dewan of Mysore,and Rev.D.A.Rees. Sept 8th.1916.

I. Indian Christian Divorce.

1. All marriages of Indian Christians,whether British Subjects or Subjects of Mysore,are performed under Act XV of 1872,the Indian Christain Marriage Act. This Act was made operative in Mysore before the Rendition.

2. Act XXI of 1866,Native Converts' Marriage Dissolution Act was also brought into force before the Rendition. This deals with cases where at conversion,either husband or wife refuses to join in the step which the other has taken.

3. The Indian Divorce Act,Act IV of 1869,has not been introduced into Mysore,consequently,there is no provision of any kind for annulling a Christian marriage in the Mysore State.

4. Recently some cases of open infidelity and desertion have occurred among Indian Christians and no remedy is available.The absence of power to dissolve such marriages leads to immorality and scandal.This could be avoided if there were a legal course open which would sever ties which had already been broken.

5. Act IV of 1869 is in itself defective,inasmuch as it does not cover all the ground and in its working is inaccessible to the great majority of those who need its benefits.A very influential petition has been sent to the Viceroy asking for the introduction of a New Indian Christian Divorce Act.

6. In this petition it is pointed out-

(1)That no provision is made for divorce where the marriage took place according to Hindu rites,prior to conversion.

(2)It does not provide a remedy in cases where the marriage took place in childhood and was not consummated.

(3)It is asked that (a) the cost of obtaining a divorce should not exceed Rs20,(b) Suits should be heard in District Courts,(c) Re Remarriage should be allowed one month after the decree of nullity

7. My request is that the subject be carefully considered in relation to Mysore,and if feasible,an Act,as simple as possible,be drawn up and submitted for opinion to the Christian Missions concerned.

II. Disabilities of Indian Converts to Christianity in Mysore.

1. It is unnecessary to recapitulate the history of this important question.The views of the Christian community are fully expressed in (1) a petition submitted direct to His Highness the Maharajah.As it is possible that there is no copy of this among the records,I enclose one.

(2)a representation by the Christian Community in Mysore in support of the Religious and Caste Disabilities Removal Regulation submitted to the Legislative Council August 15th 1910 and published in the Mysore Gazette of August 18th 1910.

2. Since the bill for the removal of these Disabilities was thrown out,the Christian Community has abstained from all agitation but the injustice done to them has never been forgotten.They have waited in the expectation that the Government would,on its own initiative,make another effort to remove the stigma put upon the Christian Religion and the blot on its own reputation for enlightenment,liberty,justice and progress.

3. In proof of the damage done to the reputation of the State,I enclos for perusal and kind return,two extracts from the latest edition of Sir William Lee Warner's book "Native States of India",which I copied out.

4. The National Missionary Council of India,of which the Lord Bishop of Calcutta and Metropolitan of India is Chairman,have written to me recently for copies of the papers relating to this subject,with a view to making a representation to the Viceroy.

5. The subject is also keenly watched by more than one important Committee in England and when I was on furlough in 1914 I was asked to appear before one of them and state what progress had been made towards the removal of these disabilities.I had to inform them that nothing had been done.

6. My purpose in calling upon you was to ascertain whether you would be prepared once again to take up the subject and without any outside pressure, or internal agitation, concede those rights which two of your predecessors deemed just and which, I am confident, you, after mature consideration will admit to be fair.
Such a step would add to the prestige of the State and confer on the Christian subjects of the Mysore the rights which their co-religionists enjoy in British Territory.

III. Representation of Christians in the Legislative Council.
There are in the Mysore State 59,844 Christians. The community, though small in number stands high in education and is among the most progressive. It has no representative in the Representative Assembly and no-one to deal directly with its interests in the Legislative Council. While it is true that the principle of proportionate representation does not prevail in the Legislative Council, I venture to express the opinion that at least one Christian should be among its number.

D. A. Rees

To

His Highness

Sri Krishna Rajendra Wodeyar Bahadur, G.C.S.I.,

Maharaja of Mysore

MAY IT PLEASE YOUR HIGHNESS,

We, as representatives of Your Highness' Christian subjects, venture, most respectfully, to place before Your Highness a Memorial concerning the serious Disabilities to which converts to the Christian Religion are subjected by the law, as now interpreted and enforced in the courts of the Mysore State.

At the outset, we would acknowledge gratefully the liberties and privileges, which we, in common with all other subjects of the State, enjoy under Your Highness' rule: and on behalf of ourselves and those whom we represent, we would express our strong and unfeigned loyalty to the person and throne of Your Highness. The past years of Your Highness' administration have proved to the people of the Mysore State that they are governed by a Ruler, who has at heart their true happiness and welfare, and who seeks constantly to afford to all an equal protection, without respect to caste or creed. It is this knowledge which emboldens us to lay this Memorial before Your Highness in person.

With Your Highness' gracious permission, we will submit a brief history of this question. The disabilities, under which our people are now suffering, were brought to light by the judgement of the Chief Court of Mysore in the case of Dasappa *v.* Chikkammma, given on 19th June, 1894. This was a case in which a Christian convert sued for the right of guardianship over his own children. The decision of the Court which embodied the views of the two puisne Judges on the bench, in opposition to those of the Chief Judge, the late Raja Dharma Pravina T. R. Thumboo Chetty, denied this right to the plaintiff on the ground of his having become a Christian. The following extracts will suffice to indicate the point of view of these two Judges :—

> "It does not seem necessary to quote from Smrithys and Digests of Hindu Law to prove that an apostate from Hindu religion, who is expelled from caste, loses his civil rights.
>
> "The Hindu Law makes him lose his civil rights, justifies the wife, if she chooses, to live separately from him and empowers his sons to divide his property among them. It was to remove these disabilities that Act XXI of 1850 was passed, and it being admitted that that Act has not been extended to the Province, we have no right to declare that the disabilities do not exist."

We feel it our duty to point out that this judgement gives to codes, which were mainly intended for Brahmans, a universal application, to which they are not entitled, and in the case of some of the lower non-Aryan castes, which do not perform Shraddha, it creates disabilities which did not exist before.

Immediately on the pronouncement of this judgement, the Christian subjects of Your Highness petitioned for the introduction of Act XXI of 1850, or some similar measure. This Act, which has been in force in British India for nearly sixty years and

has been introduced into the Civil and Military Station of Bangalore, provides that no one, by reason of exclusion from caste or change of religion, shall forfeit any civil rights."

The Mysore Durbar, writing to the British Resident on March 9th, 1895, reviewed the position created by the Chief Court judgement and concluded as follows :—

> Thus, after giving their best consideration to the conflicting interests involved in the important question under discussion, the Durbar have arrived at the conclusion that it would be right to provide by law for the continuance to a convert of all his **rights of property of whatever kind** including those of inheritance and partition, subject to the condition that the exercise of such rights should in no way interfere with the proper and undisturbed enjoyment by others especially co-parceners and other members of the family of their own immemorial rights."

The views thus expressed were embodied in a draft regulation, which received the approval of the Council of Regency, but was not brought into operation.

After a lapse of nearly ten years, a Committee, on which all castes were represented, was appointed to consider whether legislation for the removal of these disabilities was required, and they were empowered to draft such a measure as they considered necessary. The Committee unanimously decided that legislation was needed and their Draft Regulation was published for general information on October 13th, 1905.

We are aware that a considerable number of petitions, adverse to the introduction of the Regulation, was received, but we respectfully submit that any measure of this nature, which is designed to secure the rights of a minority, is peculiarly liable to misrepresentation and is certain to meet with opposition. It belongs to the category of measures, which, if passed, are made law, not because they are popular but because they are inherently just. That the Draft received the unanimous approval of the influential and representative Committee which was appointed to deal with the question, is a fact which we believe will have great weight with Your Highness.

When this Regulation was published, Your Highness' Christian subjects entertained the hope that, at last, their disabilities would be removed. They recognised that the proposed Regulation did not concede all that had been asked for, but seeing that it afforded a substantial measure of relief, while safeguarding the rights of others, they were prepared to welcome it. Since its publication in 1905, no further step has been taken to bring it into force, and to-day Your Highness' Christian subjects are in a worse position than they ever were.

We would, in particular, draw the attention of Your Highness to a judgement delivered in the Munsiff's Court, Tumkur, on September 2nd, 1907. In this case three plaintiffs sued for certain rights of property. Their claim was declared valid, but inasmuch as two of them were Christian converts, they were adjudged not entitled to sue. The claim of the third, who had not changed his religion, but had been convicted of murder and is now undergoing penal servitude, was allowed by the Court and the decree was given in his favour. We respectfully submit that a law, which inflicts upon a Christian convert the deprivation of all his civil rights, whilst securing the murderer and convict in the full enjoyment of the same, is an anomaly. To quote the phrase of a leading Indian Jurist, the Christian convert in the Mysore State solely because of his having exercised a generally recognised right in changing his religion, is made "an outlaw." We respectfully and earnestly appeal to Your Highness for redress.

A few months ago, the Jubilee of the Queen's Proclamation of 1858 was celebrated. That Proclamation has been the charter of the religious liberties of the millions of British India. In it the following memorable words occur :—

> "Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and the desire to impose

> our convictions on any of our subjects. We declare it to be our royal will and pleasure that none be in anywise favoured, none molested or disquieted, by reason of their religious faith or observances ; but that all shall alike enjoy the equal and impartial protection of the law."

In this Memorial, we most respectfully ask only that, by the exercise of the gracious will and pleasure of Your Highness, the same freedom from religious disabilities may be bestowed on the Christian subjects of this State as the late Queen-Empress and the present King-Emperor have confirmed to all their subjects in British India, of whatever creed.

We pray that the blessing of Almighty God may rest upon Your Highness and the house of Mysore and that all the deliberations of Your Highness' Government may be inspired by wisdom and bear fruit in righteousness.

WE ARE,

YOUR HIGHNESS' MOST LOYAL AND OBEDIENT SERVANTS,

March 17th, 1909.

Encl to Dean's

WESLEYAN MISSION

BANGALORE CITY

Extract from Sir Wm Lee Warner's "Native States of India." Page 193.

Again, even the spirit of British legislation must exercise some influence on its protected allies. The British Parliament has repeatedly expressed its concern for religious toleration, and although the treaties of the states in the interior of India are silent on the point, it is expected that rulers enjoying British protection will conform to leading principles which are written in large characters on the Statutes of the realm. The law of British India protects persons changing their religion from the loss of civil rights, and in the Queen's Proclamation of 1858 the royal will was expressed "that none be in anywise favoured, none molested or disquieted by reason of their religious faith or observances." If, then the courts of a Native state deprive a Hindu of his rights over his infant children, or refuse him justice in a civil suit on the ground of his change of faith, the protecting power is bound to interfere on behalf of its own subjects resident in that state, and is justified in protesting against the application to the rest of the inhabitants of a system of intolerance publicly condemned by the Suzerain.

Encl 5

WESLEYAN MISSIO

BANGALORE CITY

Sir W. Lee-Warner. Native States of India. Pages 306-7

The obligations to secure religious toleration is accepted not solely in consequence of the solidarity of religious feelings throughout the Empire, but also in the interests of the states themselves. When it is borne in mind that the British Government owes it to its own subjects to secure for them religious toleration from foreign potentates, its duty in India is enhanced by the subordinate relations which subsist between the Government of India and its protected allies. ----------. There are still a few Hindu principalities in which the civil status of Hindus embracing another religion is regulated by the ancient Laws of Menu, and a change of faith is held by their Courts of Law to deprive converts of their rights as citizens or as parents. The law of India is expressed in Act XXI of 1850, and the British Government is constantly urging the rulers of such states to legislate for their own subjects in the same spirit of religious toleration. Until they do so, it is obvious that the paramount power must protect, if need be, its own subjects resident in or visiting such states from the operation of local laws so clearly opposed to their rights as subjects of the King.

~~Exmt~~ Conf

Leg. 27-16-2

Bangalore
12th Sept 1916

Issued.

Dear Sir,

I am in receipt of this memorandum dated the 8th instant ~~kindly~~ sent by you with reference to certain matters affecting the Indian Christian Community in Mysore.

Your representations ~~on behalf of that community will~~ will be examined and receive due consideration ~~in due course.~~

Yours sincerely,

12-9-16. (Dewan)

The Rev. D. Rees.,

G. R. S. 26]

GEN. & REV. SECRETARIAT. 13 TYPING Sec. 12 MAR 1917

Legis File No. 27-16

Serial No. 3

Diary No. of letter replied to .....

No. 3342

General and Revenue Secretariat

( )

the *191*

To

Rev. D. A. Rees

Date of issue 13/3/17

Signed by M. G. Srinivasa Rao

Sir

With reference to your representation to the Dewan regarding certain matters affecting the Indian Christian Community in Mysore, I am directed to inform you that Government ~~are of opinion that~~ —

~~(1)~~ the framing of a Bill on the lines of the Indian Divorce Act

over.

SUBJECT.

will
~~may~~ be taken into consideration; that Govt. do

(2) ~~It is not~~ expedient to not consent

reopen the decision of Govt

in regard to the question of

removal of the religious

disabilities of Christian

converts; and that

(3) it is open to christian

~~converts~~ gentlemen to stand

for election to the Legislature

Council; ~~and that~~ no

(4) nominations to the Legislative

Council ~~are not~~ generally

made on the basis of

communal representation

Any suggestions for improving ~~the~~ list of enclosures
you may make
~~the Draft Act~~ upon which will be carefully considered in drafting the Bill

I have &c.

Draft 7/2/23

GS
9/2 for Secretary to Govt

G.D.

9/2

Examined by

GPB—20,000—10-10-4